

**ENTERED**

December 18, 2023

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

STERLING SHEPHERD,	§	CIVIL ACTION NO
(SPN #2567674)	§	4:23-cv-02853
Plaintiff,	§	
	§	
	§	
vs.	§	JUDGE CHARLES ESKRIDGE
	§	
	§	
HARRIS COUNTY	§	
SHERIFF'S OFFICE,	§	
<i>et al</i> ,	§	
Defendants.	§	

**MEMORANDUM ON DISMISSAL**

Before the Court is a civil rights complaint under 42 USC § 1983 filed by Sterling Shepherd. He filed his original complaint in August 2023, complaining of violations of his civil rights at the Harris County Jail.

The Clerk entered a notice of deficient pleading instructing plaintiff to file an application to proceed *in forma pauperis* or pay the filing fee of \$402. He was advised that his complaint was otherwise subject to dismissal without prejudice for want of prosecution. He hasn't complied.

Under the inherent powers necessarily vested in a district court to manage its own affairs, this action is dismissed for want of prosecution. See FRCP 41(b); *Link v Wabash Railroad Co*, 370 US 626, 630–31 (1962); *Clofer v Perego*, 106 F3d 678, 679 (5th Cir 1997); James W. Moore, *et al*, 8 *Moore's Federal Practice* § 41.51(3)(b) & (e) (Matthew Bender 3d ed 2017).

The Court will grant relief upon a proper showing under Rule 60(b) of the Federal Rules of Civil Procedure. See *Link*, 370 US at 635.


The civil action filed by Plaintiff Sterling Shepherd is DISMISSED WITHOUT PREJUDICE for want of prosecution. Dkt 1.

His motion to proceed *in forma pauperis* is DENIED WITHOUT PREJUDICE. Dkt 2.

Any other pending motions are DENIED AS MOOT.

SO ORDERED.

Signed on December 18, 2023, at Houston, Texas.

  
Hon. Charles Eskridge  
United States District Judge